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MICRON TECHNOLOGY, INC. AND MICRON
SEMICONDUCTOR PRODUCTS, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE STATE OF CALIFORNIA, et al.,

Plaintiffs,

v.

INFINEON TECHNOLOGIES AG, et al.

Defendants.

Case No. C-06-04333 PJH

**STIPULATION AND ~~PROPOSED~~
ORDER MODIFYING BRIEFING
SCHEDULE RELATING TO STATES'
MOTION FOR CLASS CERTIFICATION**

Pursuant to an Order entered on October 16, 2007, the deadline for defendants' opposition to plaintiff States' motion for class certification is set for January 30, 2007. Defendants were scheduled to take the deposition of putative class representative the County of Santa Clara on January 17, 2008. However, counsel for the plaintiff States reported that the representative for the County of Santa Clara was unavailable on January 17 due to illness, and the plaintiff States have offered January 30, 2008 for the deposition of the County of Santa Clara. As this is the date on which defendants' opposition brief is currently due, the parties have met and conferred and agreed among themselves that a short extension of the briefing schedule on class certification would be appropriate.

1 In the April 17, 2007 Case Management Order, the Court set certain dates for briefing and
2 argument on the States' motion for class certification. The schedule set forth in that Order was
3 altered by stipulation and order on October 16, 2007. The October 16, 2007 stipulation and order set
4 the briefing schedule for the States' motion for class certification as follows:

5 Deadline to file class certification motions: November 21, 2007

6 Deadline to file opposition to class certification: January 30, 2008

7 Deadline to file reply: February 20, 2008

8 Hearing date: March 12, 2008

9 Representatives of the plaintiff States and defendants have met and conferred and agreed
10 among themselves that this action would proceed more efficiently and expeditiously if this schedule
11 were modified. Among other reasons, the deposition of putative class representative the County of
12 Santa Clara has been rescheduled from January 17, 2008 to January 30, 2008, due to illness.

13 The parties have agreed and hereby stipulate, and ask the Court to order, that the above dates
14 be modified as follows:

15 **Deadline to file opposition to class certification: February 20, 2008**

16 **Deadline to file reply: March 19, 2008**

17 **Hearing date: April 9, 2008, 9:00 a.m.**

18
19 DATED: January 18, 2008

GIBSON, DUNN & CRUTCHER LLP

20
21 /s:/ G. Charles Nierlich

G. Charles Nierlich

22
23 Attorneys for Defendants
MICRON TECHNOLOGY, INC. AND MICRON
24 SEMICONDUCTOR PRODUCTS, INC.

25 And on behalf of all defendants

26 **I, G. Charles Nierlich, attest that concurrence in the**
27 **filing of this document has been obtained from each**
28 **of the other signatories.**

DATED: January 18, 2008

STATE OF CALIFORNIA

/s:/ Emilio E. Varanini


Emilio E. Varanini

Attorneys for Plaintiffs
THE STATE OF CALIFORNIA

And on behalf of all plaintiffs.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: 1/22/08



Honorable Phyllis J. Hamilton
United States District Court Judge

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DECLARATION OF SERVICE

I, Robin McBain, declare as follows:

I am employed in the County of San Francisco, State of California; I am over the age of eighteen years and am not a party to this action; my business address is One Montgomery Street, Suite 3100, San Francisco, California, 94104, in said County and State. On January 18, 2008, I served the within:

STIPULATION & [PROPOSED] ORDER MODIFYING BRIEFING SCHEDULE RELATED TO STATES' MOTION FOR CLASS CERTIFICATION

to all interested parties as follows:



BY ECF (ELECTRONIC CASE FILING): I e-filed the above-detailed documents utilizing the United States District Court, Northern District of California's mandated ECF (Electronic Case Filing) service on January 18, 2008. Counsel of record are required by the Court to be registered e-filers, and as such are automatically e-served with a copy of the documents upon confirmation of e-filing.

I certify under penalty of perjury that the foregoing is true and correct, that the foregoing document(s) were printed on recycled paper, and that this Declaration of Service was executed by me on January 18, 2008, at San Francisco, California.

/s:/Robin McBain

Robin McBain